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Attorney Docket No. 040750-3001501-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**H.-H. SU HUANG et al.**

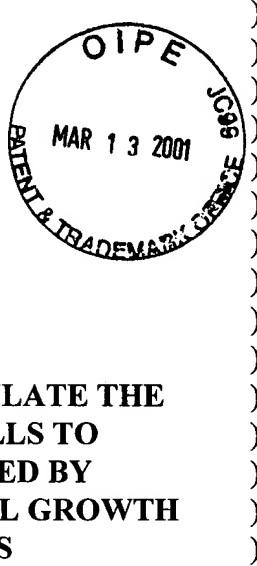
Application No. **09/071,541**

Filed: **May 4, 1998**

CPA Filed: **December 19, 2001**

For: **METHODS TO MODULATE THE  
RESISTANCE OF CELLS TO  
APOPTOSIS MEDiated BY  
MUTANT EPIDERMAL GROWTH  
FACTOR RECEPTORS**

Commissioner for Patents  
Washington, D.C. 20231



Group Art Unit: **1623**

Examiner: **K. K. Fonda, Ph.D.**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced continued prosecution application. Accordingly, Applicant does not believe that a fee is due with the filing of this paper.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute prior art. If the Examiner applies any one of the documents as prior art against any

claim in the application, and Applicants determine that the cited document does not constitute prior art under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **Constructive Petition for Extension of Time** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted

Dated: March 13, 2001

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